IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE A.K.BASHEER

MONDAY, THE 24TH SEPTEMBER 2007 / 2ND ASWINA 1929

MFA.No. 69 of 2007

WCC.12/2003 of W.C.C.,ERNAKULAM
.....

APPELLANT: SECOND OPPOSITE PARTY

THE MANAGER
NATIONAL INSURANCE COMPANY LTD.
STATUE JUNCTION
TRIPUNITHURA-682301

BY ADV. SRI.RAJAN P.KALIYATH

RESPONDENTS: APPLICANTS & O.P.-1
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1. K.K.SREELATHA, W/O.LATE ANAND
KALLARACKAL HOUSE
NELLAD POST, VEETTOOR-686724

2. AKSHAL ANAND, S/O. ANAND,
-DO- -DO-

3. ABHISHEK ANAND,
S/O. ANAND, -DO-

4. ANIL VARMA,
PROPRIETOR,
VARMA CONSTRUCTIONS,
BUILDING CONTRACTORS, 17/369B
SANSCRIPT COLLEGE ROAD, TRIPUNITHURA

BY ADV. SRI.M.A.SHAFIK
SRI.JOHN NUMPELI (JUNIOR)
SRI.AJITH.V.

THIS MISC. FIRST APPEAL HAVING BEEN FINALLY HEARD ON 24/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S. RADHAKRISHNAN & A.K. BASHEER, JJ.

C. M. Application No 756 of 2007
in M.F.A. No 69 of 2007

Dated: September 2007

JUDGMENT

Radhakrishnan, J.

C.M. Application No 756 of 2007 is filed to condone the delay of 515 days in filing the appeal. We have perused the affidavit filed in support of the petition. Sufficient grounds have not been made out to condone the delay. Further, facts would indicate that even though appellant received notice from the Commissioner for Workmen's Compensation, they did not appear. This is a case of death. Claimants are the widow and minor children of the deceased. The application for condonation of delay is therefore dismissed. Consequently appeal is also dismissed.

Sd/-

K.S. RADHAKRISHNAN
Judge

Sd/-
A.K. BASHEER
Judge

24/09/2007en [true copy]